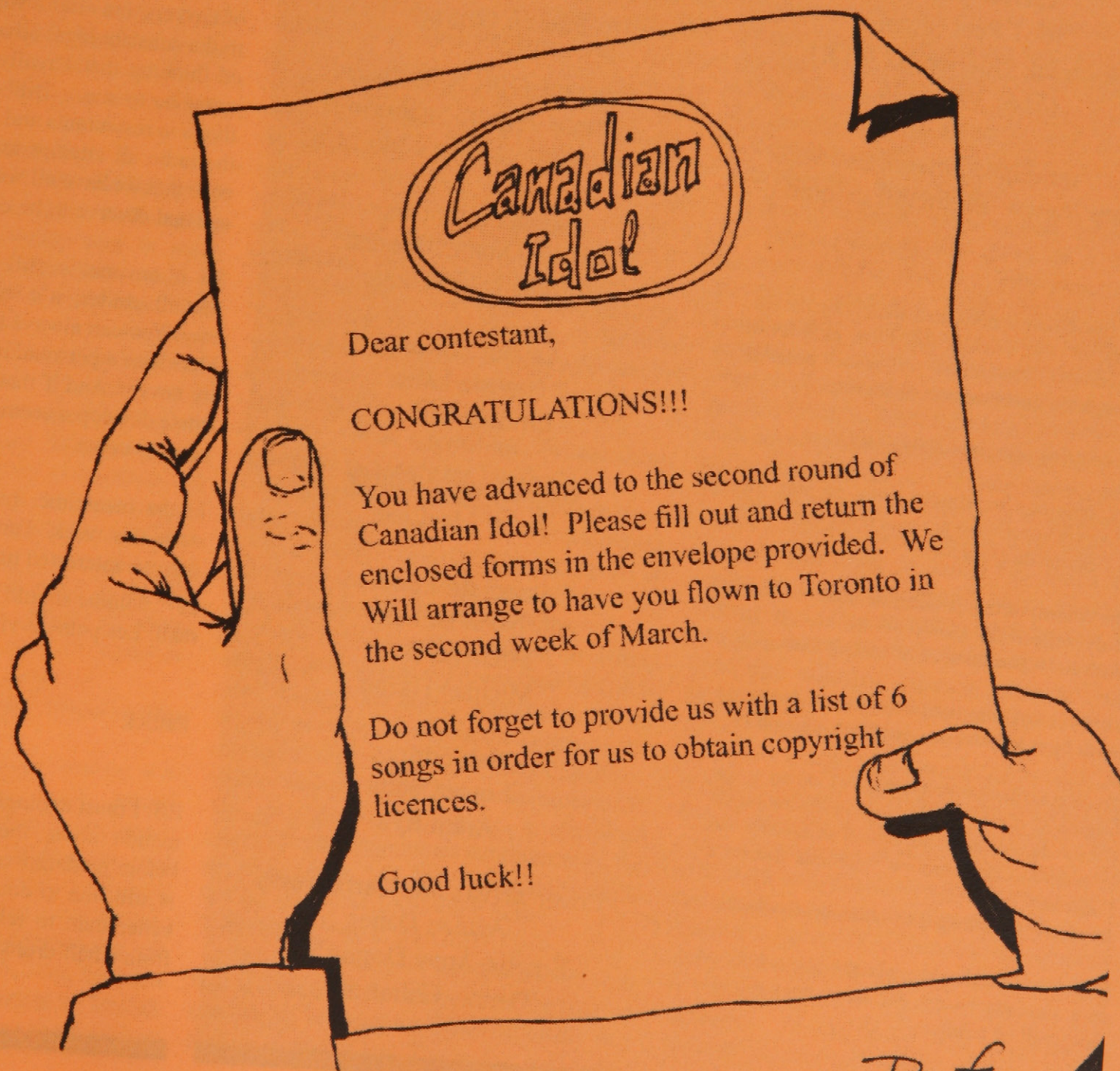


Quid Novi

McGill University, Faculty of Law
Volume 24, no. 16 - March 2, 2004

BREAKING NEWS!!!

YET ANOTHER SUPREME COURT JUSTICE
RESIGNS TO PURSUE A MORE ATTRACTIVE CAREER
OPPORTUNITY,



Donna L.
2004

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Envoyez vos commentaires ou articles avant jeudi 5pm à l'adresse: quid.law@mcgill.ca

Toute contribution doit indiquer l'auteur et son origine et n'est publiée qu'à la discrétion du comité de rédaction, qui basera sa décision sur la politique de rédaction telle que décrite à l'adresse:
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Contributions should preferably be submitted as a .doc attachment. All anonymous submissions will be rejected.

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Editor's Note...

God Bless America! Home of the Sued!

Relocating to Florida is to many North Americans the ultimate step in the *American Dream Lifestyle*. After having worked for 30 years in the Rust Belt or up in *Caaanada*, many decide to retire peacefully in communities among the coasts of Sunshine State.

This makes Florida the state with the highest proportion of elderly in all the U.S. Real estate along the coast is sky-rocketing as baby boomers prepare their retirement. Miniature condos close to the ocean can fetch well above the price of luxury condos in Canada's downtowns. Don't even think about owning oceanfront property.

The legal profession seems to be the first to benefit from this high concentration of retirees. Perhaps studying law has made me more aware of the constant marketing ploys of lawyers, but after a week of being exposed to the constant legal advertising, even I started thinking that I really *should* find myself someone to sue... Billboards near hospitals, flyers in restaurants and ads on television and the radio all attempt to convince their audience that we have all somehow suffered damage and deserve to be compensated for it.

So if anyone is still stressing about their McGill grades, it's really nothing to worry over. You can always fall back on a career in Florida as a personal injury or medical liability lawyer. And if that doesn't work out, real estate developer seems to be a safe bet for the years to come.

In the meantime, recruitment for the *Quid* starts this week! Turn to page 11 for details. Anyone interested in joining us for the *Quid*'s 25th volume should feel free to drop us an e-mail. Les pots-de-vin seront acceptés.

Patrick

P.S. I must apologize for the erroneous information about the sponsored coffee house before reading week being the last one: there is still one to come this week. I now know better than to rely on information obtained from a half drunk source.

Ratio Decidendi: *Re Students v. The Status Quo*

by John Haffner and Jason MacLean (Law I)

A number of questions have been raised about the initiative to reform the assessment regime at McGill Law. Here are some answers.

1. What is Wrong with the Status Quo?

The status quo of assigning arbitrary letter grades stigmatizes the vast majority of students and encourages a narrow, instrumental approach to the study of law that is at odds with our trans-systemic approach and aspirations.

2. What is the Alternative?

A version of the pass-fail system employed at both Berkeley (Boalt Hall) and Yale. The simplest system is one of distinction, pass, and fail (or, alternatively, unsatisfactory pass).

3. Why is Pass-Fail Better?

Seven reasons: (a) it rids the faculty of invidious competition and meaningless differentiation; (b) it would lead to more sharing among students, since they would be focused on learning for its own sake; (c) it guarantees superior professional development; (d) it frees up students to take productive risks and develop their weaknesses (linguistic or methodological) instead of playing to their strengths; (e) it opens the door to a plurality of teaching and learning approaches; (f) it encourages students to pursue extra-curricular activities, including wider community involvement; and as a result of all these things, (g) it will engender a new learning culture in which McGill Law is more intellectually rigorous, more creative, and (gasp!) more fun.

4. Doesn't Pass-Fail Simply Replace One Hierarchy with Another?

No, it doesn't. This simple reform will dramatically change the law school experience for the vast majority of students. Those who are in search of high grades and nothing else will always exist, and such people will still obtain kudos in a distinction-pass-fail regime. The critical difference is not between "distinction" and "A," but between "pass" and a "B-." Every student at McGill Law beat 10:1 odds to get here: the goal is to

remove the harmful and distracting stigma of grades to promote a sense of full membership and belonging in the law faculty (i.e., so students can feel throughout their entire program the way they felt before their case comments were returned).

5. Will Wall Street Still Love Us?

Of course. Fact is, there is no single system of assessment from which we are proposing to deviate. We are in fact already different because we do not assign A+s. According to *The 2003 BCG Attorney Search Guide to Class Ranking Distinctions and Law Review Admission at America's Top 50 Law Schools*, "Until there is one universal grading system for all law schools, it is unlikely that the process of hiring law school students will ever lack confusion." In other words, firms are already accustomed to looking closely at each school anyway. No prospective employment risks attach to the adoption of a pass-fail system. As the report went on to say, "Judging from the type of education that these two schools (Berkeley and Yale) offer and the lawyers they produce, their methods are succeeding."

6. What About Clerkships, Scholarships, Admission to Graduate Studies?

No problem. "Distinction" is just as good, instrumentally, as an "A." Moreover, successful applications of this sort depend on a lot more than just grades and distinctions. They depend on achievements both curricular and extra-curricular. They depend on writing samples and recommendations (and McGill is small enough that our recommendations can be very meaningful; in fact our entering class is considerably smaller than that of Berkeley, whose students have the same ambitions). And most importantly, success in clerkships and academic programmes depends not on the ability to get an "A" but on real skills, skills that we should be developing now.

7. Berkeley, Yale ... McGill?

Yes. We are an elite law school, the very best in Canada, and our aim should be nothing less than to be recognized internationally as a leading faculty of law. The fact is, we already

are, and we need to act as such. Why, just the other day the International Criminal Court in the Hague invited clerkships from McGill alongside the likes of Yale and Columbia.

Thus, what works well for Yale and Berkeley can and will work equally well for McGill. We have the potential, if we choose to walk the talk, to establish the most innovative and challenging legal education in the world. This is not wishful thinking, but a factual statement about our unique capacity to do trans-systemia. Reforming our assessment practices such that assessment becomes tied to learning rather than ranking is a crucial ingredient in making the faculty truly (and not just symbolically) trans-systemic.

8. Wither the Work Ethic?

Fuggetaboutit. There is both work and life beyond carrots and sticks. It is called informal social control (i.e., peer pressure). It is called personal pride. It is called enlightened self-interest — everyone envisages a career after law school, and everyone knows that now is the best time to prepare for it, to think full-time about the law and develop the intellectual skills that you will employ for the rest of your career. And if people spend a little more time in Thompson House exploring ideas instead of fretting over course summaries at home, so much the better: we learn just as much (if not more) by talking law. If you want to be a lawyer, act like a lawyer: direct your energies toward thinking, talking, arguing, writing, and learning law, not 100% law examinations and little besides.

A few words about fact-patterns: nobody is advocating their abolition. But ask yourself this: if they are so important, so useful, why aren't there more of them? Why don't we have more opportunities to practice and apply this challenging and new mode of analysis? And why, moreover, is there so little iteration in our other learning opportunities (outside of Foundations)? If memoranda are so important, why do we do only two of them? And why in only one subject, a subject we did not get to choose? Why not every subject? ►

In a pass-fail regime, we could iterate more. See question 10 below.

9. Will a Reformed Assessment System Affect Admissions?

Yes, positively so. We will receive more applicants, and more qualified ones at that, thus ensuring that we are able to admit the right (intrinsically motivated) people. To this end we can add a small component to the admissions process asking applicants to demonstrate, by way of concrete examples, that they are so motivated and, as such, both willing and able to contribute in a closely collaborative learning environment.

10. Will the Faculty Get Onboard?

It is incumbent upon us to convince them that it is everyone's best interest to do so. In 2000, the faculty of Harvard Law School rejected a proposal to adopt a pass-fail system by a vote of 30-19. Why? The Harvard faculty feared that the system would lump too many students together under the same assessment category. This argument is untenable. The point of the proposal is that the grading system already renders meaningless distinctions between students, so the response

that the new system would remove much of that meaninglessness is itself rather meaningless. It depends on being able to defend the distinction between a B- and a B on some sort of objective grounds. Good luck. As third-year Harvard law student Arkadi Gerney put it, "The way grades are set up now

The status quo of assigning arbitrary letter grades stigmatizes the vast majority of students and encourages a narrow, instrumental approach to the study of law that is at odds with our trans-systemic approach and aspirations.

is inhibiting. There's a general sense among Harvard students that they'd be happier at a place like Yale and would learn and contribute more in that kind of environment." Regarding the Harvard faculty's reluctance, despite strong evidence of student dissatisfaction, Gerney went on to say that "There's too much competition among the students that comes at the expense of learning and real interest in the material. They [the faculty] don't seem to be responsive to the data." ("Harvard says no to pass-fail," www.yaledailynews.com)

The real fear likely had more to do with the increased teaching responsibilities that attend the adoption of a pass-fail system and

the plurality of learning experiences that it opens up. To convince faculty to adopt this system, then, we also need to work toward a new evaluation system for the faculty members so they will be rewarded proportionately and tangibly for their teaching efforts. As it presently stands not only in the law faculty but in the university at large, professors are not rewarded nearly enough for the hard work they already do on their teaching. To convince the faculty to engage more

frequently with students academically thus depends on also reforming the way faculty are graded and paid. As students, we should not only support such changes but insist upon them.

11. Isn't This Proposal Just Self-Interested Politics?

No, it is a matter of principle. If we collectively decide to push this proposal, our class will never reap its benefits. This is about making a positive contribution to the faculty, an attempt to leave it better than we found it. ■

Help with Diversity Project Needed

by Samantha Lamb (Law III)

As you may or may not know, this faculty has an Education & Equity committee to address issues related to diversity (and the lack of it) in this faculty. One of the projects we have been working on is the idea of some kind of mentor program. Our goal was to create a database of students who faced barriers both in entering law school, and during their education here at the faculty. The barriers we have identified so far are: race and ethnicity, financial, age, sexual orientation, and disability.

The purpose of the database would be threefold. To begin with we would match existing students who have faced barriers to a positive social and academic experience with incoming students who face the same barriers. Once this program was stronger we hoped that it could be extended to reach out to students in undergrad who might not apply to McGill because of concerns about how these barriers will impact them. In addition, since

at least some of these barriers are likely to continue in the workplace, our hope was that this network could continue to be a source of information and support after graduation. It is our hope that as marginalized students have more positive experiences, word of this experience will travel increasing the diversity of students applying to this faculty.

There's just one problem, how the heck do we get started. Our biggest stumbling block has been how to recruit the original students without falling into the same assumptions that cause some students to feel isolated in the first place. So how do we reach out to those who are marginalized without insulting people who have felt no barriers to being part of the faculty?

After much brainstorming the only thing we could come up with was just to tell you all what we're trying to do, the problems we're having and ask for your help. So, if you are interested in improving the amount of diversi-

ty in this faculty we want your help. Have you faced barriers and would be interested in being part of our database of mentors? Would you be willing to be part of our adhoc committee to help us brainstorm more ideas?

We are both graduating next year and so we're also looking for some students who would be willing to commit to being involved both this year and next year to ensure that the project actually happens. By the time the committee gets started each year, subgroups are created, and priorities chosen, two months have gone by. Then factor in exams, winter break, restarting meetings in the next term and a lot of time gets lost. Our hope is that if there are some students consistently involved, the project won't lose any momentum, or worse yet be abandoned altogether as unfeasible for the committee.

So if you are interested e-mail Samantha: samanthalamb@hotmail.com or Charlie: ckuo2@po-box.mcgill.ca. ■

Special Report on Educational Equity, Episode I

— An Unspeakable Shame

by Charlie Kuo (Law IV)

Is Our Student Body Diverse?

Of course we are diverse. With students speaking more than 60 languages, coming from all walks of life, various international backgrounds, wide ranging academic disciplines and age groups, we pride ourselves on being the most diverse law school in Canada. This much-celebrated diversity, however, is compromised by the under-representation of several perceivably vulnerable social groups in the faculty. The most visible under-representation can be identified from groups such as Aboriginal Canadians, people with disabilities, newly arrived immigrants and refugees. This is not a problem unique to McGill, but common among all Canadian law schools. The social ramifications of this under-representation are profound: people from the vulnerable social groups are often represented by lawyers who can neither cater legal services to their special needs nor empathize with their specific problems. In our faculty, the Educational Equity Committee has been working for the past ten years on addressing the issue of diversity within the faculty, and has greatly promoted the diversity of our student body with the help of the Admissions Office and various student groups. Although the major institutional barriers to diversity have either been dismantled or lowered, some equity issues remain and are rather thorny and difficult to address. As a first generation immigrant who is an allophone and a member of a visible minority group, also a member of the Educational Equity Committee, I would like to provide some insight with respect to the educational equity issues specifically related to immigrant students. I hope this week's educational equity articles will attract more submissions and an open discussion on other socially disadvantaged groups that are under-represented in our faculty.

Systemized Discrimination or Individual Will?

Most of us have known or befriended students who are first generation immigrants in the faculty. We all know that immigrant students are just as hard working (or as lazy), as outgoing (or as shy), and as academically accomplished (or otherwise) as everyone else. Life in law school can be difficult sometimes,

and immigrant students struggle with their own issues just like others. Sharing a common identity as McGill Law students, we go through the same academic ordeals and the same social functions together. The intense experience of law school, in conjunction with our passion for justice, international law and human rights, has bound us together. This gradual bonding has rendered our cultural differences trivial and ethnic boundaries irrelevant.

So, why am I making this distinction that even I find unsettling? It is because very few people in the faculty can name more than 5 students, visiting international students excluded, who are both allophone and members of visible minority groups from our entire undergraduate student body (I challenge you, wait, let's make it 6...you already know my name). This phenomenon is a pretty interesting contrast to the increasing diversity of people in our society who are vulnerable to various forms of exploitation due to their poor knowledge about the legal systems and social institutions in their new home. The result of this under-representation is the perpetuation of the perception of McGill Faculty of Law as an elitist educational institution that closes its doors to certain minority groups.

Is this perception true? Are we unconsciously shutting out students from certain minority groups through systemized discrimination? Knowing how hard our Admissions Office has been trying to recruit students from minority groups in the past years, I seriously doubt it. What about an unwritten apartheid policy of the LSA that marginalized allophones and minority students and excluded them from participating in Skit Nites and Law Games? I assure you it's just a rumour. There is no such policy. So, what? What are the causes of this gross under-representation – an unspeakable shame to us, an educational institution who pride ourselves on our prestige and commitment in human rights law and social justice? Are we just a bunch of hypocritical scholars who only love to theorize social justice but cannot stand having it around us?

Perhaps you are wondering what is the earthshaking truth I've uncovered after mining diligently for an answer in the faculty for

the past 3 and half years? After much investigation, here's my finding: we are not guilty on the above charges. That's right, we are innocent. We are clear. We can sleep at night with no guilty conscience. But, if we didn't do it, who did? Who is responsible for this gross injustice? It's someone else. It's the work of a *force majeure*. According to our Admissions Office, one of the major factors for this under-representation is the low volume of entrance applications from members of minority groups. The even more disconcerting news, based on a reliable source, is that the volume of applications from certain minority groups has actually been declining. Obviously, we cannot recruit minority students if they do not apply.

In my humble opinion, the under-representation of the said minority groups is caused by external factors that are mostly beyond our control. The study of law is an academic discipline that requires a high facility of language, and in the case of McGill, two languages. Allophones for whom English is their fourth language and French the fifth should be free to crunch numbers in an investment bank, dissect dead rats in a science lab or build chemical weapons in some secret island if they don't want to be chained like a monkey to a closet racking up billable hours. Who are we to force them, against their individual will and the holy-mother principles of freedom and democracy, to commit themselves to a discipline where they are handicapped by certain natural barriers? Therefore, I respectfully submit that it is neither our obligation nor is it within our abilities to force minority students to apply for law school under the banner of educational equity.

So, what do we do now? Some people might suggest we just get on with our lives since there's not much we can do. Let's just store that pink elephant in the pit and pretend it's not there. Let's live in an awkward reality where a disgraceful elephant dwells in our very own sanctuary of justice while we continue our discussions about human rights issues in other places. However sensible this recommendation may sound, we are not comfortable with human rights advocates pointing their fingers at us every day, accusing us ►

of a horrid crime (i.e. systemized discrimination) that we did not commit. After all, they do have all the hard evidence on paper. More importantly, turning a blind eye to the under-representation of minority students in law school does not resolve the bigger issue of the under-representation of minority lawyers in our legal community. So, how about bringing that pink elephant back to the atrium and dealing with it? That sounds simple. We can do that. The problematic connotation of treating minority student application as a burdening issue aside, the real question we are confronted with now is "how do we go about increasing the application of students from certain minority groups?"

What about empowerment and affirmative

action? Here's my personal opinion regarding these two mechanisms: "YOU GOTTA BE KIDDING ME!" We minorities may be struggling with certain barriers that are unique to us, but we still have our pride. If you don't believe what I said, maybe you should try telling a student from a minority group in our faculty that you want to "empower" her because she is "vulnerable", and that you'd like to "tolerate" her cultural difference and "accommodate" her in one of your classes. If you don't get a smack on the head I will smack you for her (note: this is not a public offer inviting binding unilateral contracts.) What about affirmative action? I can't speak for all of the minority students, but I know I would have a pretty bad stroke if the

Admissions Office told me today that I was admitted to the faculty because I was "on quota". After I got out of the hospital, I would probably just quit law school and go work on my grandmother's chicken farm.

So what do I think is the optimal solution for the aforementioned issue? After staying up through several sleepless nights, I have come up with a workable solution. However, since I understand it's highly unethical to take up too much space in the Quid, I will continue this discussion in the next issue. In the meantime, if you have any questions, comments or criticisms about this article, you can e-mail me at ckuo2@po-box.mcgill.ca or submit to the next issue of the Quid. I look forward to your comments. ■

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**So many subjects, yet so few articles!!!
Oh why won't you submit to the Quid?**

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NEWS ITEM: STEVE PANUNTO TO BE GIVEN FAIR TRIAL BY ANGRY MOB

MONTREAL – Embattled McGill Law VP Sports Steve Panunto was relieved to discover on Wednesday, February 18th that he would be investigated, tried and sentenced by a specially-convened angry mob of partisan witch-hunters in relation to his alleged \$600 Law Games boondoggle.

The quasi-religious figure, who has led a sect of overexcited and undersexed students on a week-long pilgrimage of puerility for the past two years, had been concerned that the governing Law Students Association (LSA), in its infinite wisdom, might turn his fate over to the faculty. Panunto was worried that under such a scenario, law professors - who only know one way of determining the merits of anything - would resolve the matter by putting him in a cardboard box and launching him down Mount Royal from the top of Peel Street to see how far he slides.

"Although my conviction has surely been determined in advance by a group of politically-motivated adversaries, it's a lot better than being graded by a McGill Law Professor", said the beleaguered civil servant outside of Thomson House, the smoky bar with over-priced paninis and skunky draught beer that served as his judicial forum.

According to the indictment, which according to courtroom regulations was read entirely in "white", Panunto stands charged of

taking \$600 in faculty cash that was designed to raise the profile of McGill students in Halifax and siphoning it to his buddies in the luggage handling and ground crew department of CanJet. The theory is that the money was used to pay off Panunto's prior debts for being allowed to drive Ferraris out on the tarmac on weekends.

In response to Panunto's pillorying, some observers have wondered aloud how LSA VP Finance Andrew Tischler managed to escape the gallows, despite being the Minister in charge of the LSA's overall finances at the time of the scandal. To such questions Mr. Tischler was fiercely defensive: "To insinuate that I knew anything about a financial matter that happened under my tenure as finance minister is ludicrous."

Chief persecutor Mike "The Hammer" Hazan (Law II) was quick to dismiss allegations that Panunto's pogrom was a fait-accomplish. "There are still many ways this issue could be resolved, with many possible outcomes. For example, if we try him by water and dump him in the St. Lawrence, the mighty river might choose to accept or reject his body. If he floats, he is obviously guilty and will be burned at the stake as a heretic. If he sinks, he is clearly innocent and will die an honourable death."

After taking a moment to rattle the saber

that was dangling from his belt, Mr. Hazan continued: "Alternatively, we could choose to try him by battle against Tischler". However, Mr. Hazan acknowledged that this alternative poses its own set of problems, as it is unclear whether Panunto, who as a "paisan" is definitely not a french guy but could quite possibly qualify as European, would be allowed to wear a visor.

Surprisingly, news of Panunto's ordeal generated little sympathy amongst the student body, as the prevailing consensus was that he got off easy. While many students, who wished to remain anonymous, conceded that the means employed against Mr. Panunto did not exactly mesh with democratic principles, they astutely pointed out his treatment was "more than fair" by McGill Law standards.

An alternative theory making the rounds of the faculty was that this entire brouhaha was a smokescreen for what was really the work of Aaron "Paper" Chase, who was conveniently "on exchange" in Copenhagen, Denmark, when the lid was blown off the scandal. Taking note of this curious turn of events, assistant persecutor Samantha Lamb commented: "I just know that somehow this has to be his handiwork. I mean, think about it: Him and Alfonso Gagliano in the same city. Coincidence? I think not". ■

The McGill Entertainment Law Students Association

invites you to the

Third Annual Law Student Art Exhibition

HYBRID SPACES: Between Starving Artist and Jet-Set Jurist

March 9-10, 2004

Atrium

A wine & cheese vernissage and Esoteric Magazine 2004 launch will take place
Tuesday, March 9 at 2:30 in the Atrium

FEATURE

Difficult Conversations: Street Youth and the Law

by Jason MacLean (Law I)

The McGill Faculty of Law was recently host to the conference "Street Youth and the Law" organized by the outreach wing of the Human Rights Working Group. The conference's *raison d'être* was to facilitate a panel discussion about how to reform public policies that affect street youth. Participants were drawn from various organizations supporting itinerant street youth and youth involved in the sex trade, including former street youth, as well as the barreau and the university.

The conference began with a short film by Manon Barbeau, a participant representing the Regroupement des organismes communautaires autonomes jeunesse du Québec. The film featured street youth discussing their lives in their own words and was, as such, a fitting introduction to the conference.

Two major goals were discussed throughout the evening: (1) the need to improve street youth's access to justice, and (2) the need to contest and change the public image of street youth. The first concern is immediate and ongoing and therefore of considerable importance, but real improvement in the lives of street youth will result only from the successful realization of the second.

Regarding access to justice, the issue of daily police harassment and discrimination in the form of ticketing was raised repeatedly. Yaffa Elling, a representative of *Le Bon Dieu dans la rue*, spoke to not only ticketing for obstructing traffic, loitering, sleeping in parks, and swearing at police officers, but to squeegee fines which, if unpaid, lead to incarceration.

As Bernard St.-Jacques of the Réseau d'aide aux personnes seules et itinérantes (RAPISM) pointed out, not only are street youth ticketed for reasons patently absurd, the incarceration that at times follows impedes the delivery of aid and the provision of public health. According to Sonia Hamel of the Park-Extension Youth Organization, police harassment is also accompanied by police brutality, both of which are made possible by the presumption of guilt attributed to street youth. This presumption of guilt, remarked Kimone

Kling, also of Park-Extension, finds an expression not only on the streets but in the courts as well, resulting in a vicious cycle that is difficult to break.

The first goal of improving street youth's access to justice has two principal dimensions: (1) to police the police and increase legal aid for street youth and (2) to promote the autonomy of street youth by providing education and information regarding their legal rights and by promoting self-help among street youth. As Me. Poitras pointed out, legal aid is very restricted and ought to be expanded. In lieu of increased state support, it is important to underscore and promote the efforts of street youth to make do by helping one another, a point made forcefully by J.-Philippe Robert of the *Projet d'Intervention auprès des Mineurs-es Prostitués-es* (P.I.a.M.P.).

Meanwhile, who is policing the police? Though efforts have been made to improve relations between street youth and the police, exploitation prevails. It is instructive to note that although the police were invited to send a representative to the conference, the police backed out at the last minute, though it was later discovered that a police officer was present in the audience throughout the evening, but that at no point did he either intervene or identify himself.

As Professor Roderick Macdonald of McGill Law pointed out, however, it is important to demonize neither the police nor street youth. Professor Macdonald's talk provides a bridge of sorts from the access to justice theme to the goal of policy reform. In examining a perceived problem of law enforcement, Professor Macdonald notes that it is crucial to look closely at the structural features of the regulatory system in place. What, for instance, is the behaviour that is being targeted? Who are the targets? What policy is being pursued, and by whom? Are the instruments being employed appropriate to the goal being pursued? In what ways will the policy be changed by those enforcing it? What will be the unintended (as well as intended) consequences of the policy and its manner of its

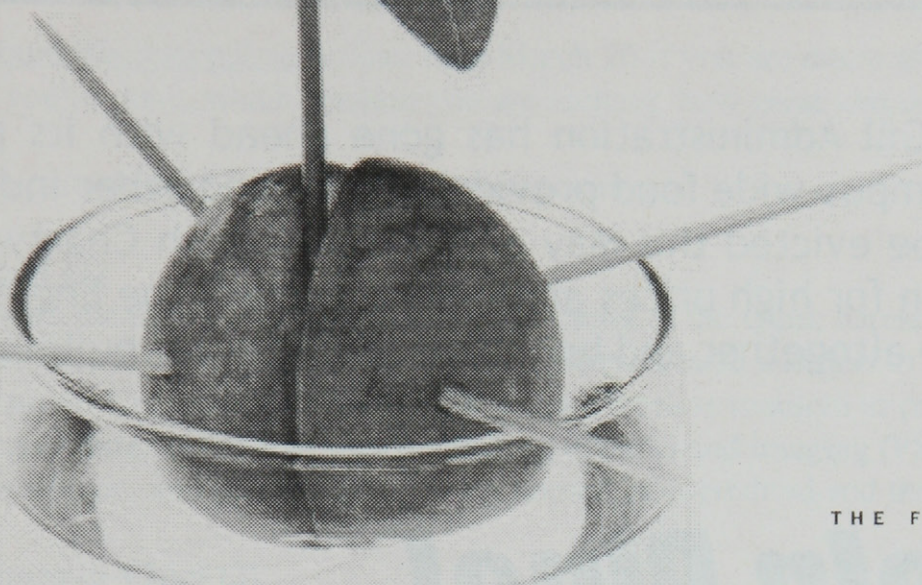
enforcement? Many of these considerations are those addressed more specifically by the other participants regarding street youth.

Prior to engaging in these sorts of inquiries, however, we should unpack the assumptions we bring to bear on the perceived problem. Regarding street youth, Professor Macdonald posed the following questions that suggest how assumptions colour the range of responses policy makers deem appropriate: (1) why are the activities of street youth seen as a regulatory problem, as opposed to a set of non-traditional behaviours in which citizens are engaging? (2) why are "spray artists" seen as different from entrepreneurs pasting posters on bus-shelters and lamp-posts, or "buskers" playing in the Métro? (3) why is "skateboarding" downtown different than playing "ball-hockey" on a suburban street? (4) why is "pan-handling" different from phone-calls from telemarketers? (5) why is "squeegee-ing" any different as an entrepreneurial activity from the residential "lemonade stand"?

In answering these questions, it becomes clear that the perceived problem posed by "street youth" is less one of safety and public order than one of aesthetics. Street youth are seen as not just pedestrians or entrepreneurs but as scruffy, sometimes dirty, noisy individuals engaged in pack-like behaviour, less overtly respectful of public authority, and engaged in "alternative life-styles" but often without the resources to do so in the (ironically) conventionally acceptable way.

It is here where Professor Macdonald's policy analysis merges with the street-life perspectives of the other participants and the organizing theme of the conference: the aesthetically unpalatable image of street youth has inverted our sense of exploiter and victim. The difficult conversations that we as a society must have, then, need to examine openly and honestly where the "real" problem is and who the "real" victims, those who need not the harassment but the equal protection of the law, really are. "Street Youth and the Law," organized by and for future jurists who may, if they choose, assume a critical role in such conversations, was an excellent and inspiring beginning. ■

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Cordially invites you to our annual Lecture Series

Outlaws or Inlaws? Successes and challenges in the struggles for Equality

Featuring **John Fisher**, former director of EGALE Canada
(Equality for Gays and Lesbians Everywhere)

Friday, March 5, 2004 at 11:00 a.m. at the Moot Court

A lunch reception sponsored by
Osler, Hoskin & Harcourt will follow the lecture

Pino & Matteo to Close

Despite vocal opposition, the McGill Administration has gone ahead with its plan to issue a tender for an exclusive, campus-wide food provider. Pino's and other independent cafeterias on campus are to be evicted this May and replaced with Chartwell's, a multi-national food provider known for high prices and lousy food (ask the Engineers!). Ultimately, the cafeteria will close altogether and be moved into another building, connected to Law with a walkway.

Help Pino!

Pino & Mateo provide decent food at reasonable prices. They support our clubs and sports teams. They know us by name and care about the faculty. It's time we returned the favour and help them out in their time of need. A campus-wide coalition has formed. It includes student groups, professors and the McGill unions, and its goal is to force the McGill Administration to withdraw the tender it has issued.

What Can I Do?

There are several things you can do to save Pino & Mateo:

- Sign the Petition in Pino's or around campus
- Write an e-mail to The McGill Daily or McGill Tribune
- Phone McGill Ancillary Services at 398-3256
- Boycott Chartwell's (Redpath Library, Engineering Bldg)

MORE INFO? Talk or write to Jeff (jeff.roberts@mail.mcgill.ca) or Pascal (pascal.zamprelli@mail.mcgill.ca)

Call for Quid Volunteers

Many of us will be leaving next year, so the time has come to choose our successors.

Contact us at quid.law@mcgill.ca no later than March 26 if you are interested in one of the following positions. Tell us who you are, what you've done, which position you are seeking, how great you think the Quid is, etc.

Note: Between parentheses is the number of open positions.

Editors-in-Chief (2)

Duties: Organises managing, editing, layout and printing of the Quid; harasses the LSA exec whenever the scanner breaks down; has total control over the Quid's exclusive basement suite and gets to pick on Law Journal members at will.

Time commitment: Unlimited potential! 6-18 hours a week is required to prepare every issue.

The perfect candidate: Is familiar with publishing (Quark) and imaging (PSP) software; is fluent in French and English; is somewhat masochistic, and has an attraction for unpaid, non-credited and thankless jobs (or is a previous LSA member).

Assistant Editors-in-Chief (2)

Duties: Coordinates layout, and supervises layout editors.

Time commitment: 2-6 hours every other week.

The perfect candidate: Is familiar with publishing (Quark) and imaging (PSP) software; enjoys chasing yellow weird-looking bugs around the office.

Layout Editor (3)

Duties: Does the layout for the Quid every week; has to live with the Assistant Editor-in-Chief's mood swings.

Time commitment: 2-4 hours every other week.

The perfect candidate: Is familiar or willing to learn with publishing (Quark) and imaging (PSP) software; likes spending hours in front of a flickering screen in an overly heated basement.

Managing Editors (2)

Duties: Communicates with potential advertisers, and organises all communications with firms.

Time commitment: 2 hours weekly, with rush periods of 5-10 hours.

The perfect candidate: Is organized; is bilingual; knows how to use a calculator and/or Excel; has an ability to write formal yet not overly pompous letters; enjoys having angry messages left on his/her answering machine.

Associate Editors (1-3)

Duties: Proof-reads articles sent to the Quid.

Time commitment: 2 hours weekly, in a specific time-frame.

The perfect candidate: Has an excellent grasp of English and/or French; can resist the urge of inserting profanities when he/she disagrees with what he/she is reading; can live with knowing in advance what will be in next week's Quid.

Web Editor (1-2)

Duties: Improves and maintains the Quid's web site (www.law.mcgill.ca/quid).

Time commitment: 1-3 hours every other week (depending on the number of candidates).

The perfect candidate: Is familiar with web editing; takes pleasure in resetting an SSH password over and over again.

Other positions (TBD)

The Quid regrets the graduation of Dennis, long time front page cartoonist. The sad truth is we need someone to replace the irreplaceable; if you are a cartoonist or photographer, let us know! We also welcome "official collaborators" to cover news and events at and around the Faculty.

L'initiative personnelle est garante du progrès collectif. Proposez-nous votre projet!

STIKEMAN ELLIOTT

Good luck to
all participants
in this 2004
Course au stage

13 PAGES
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